

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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CP III Rincon Towers, Inc.,

Plaintiff,

v.

10 Civ. 4638 (DAB)

ORDER

Richard D. Cohen,

Defendant.

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DEBORAH A. BATTES, United States District Judge.

On October 23, 2017, the Court ordered the parties to file a joint submission regarding, among other things, what preclusive effect, if any, the California Action has on this case. The parties filed a letter on December 15, 2017 indicating that they were not in agreement regarding the preclusive effect of the California Action and seeking the opportunity to brief the issue. Defendant contends that there is no preclusive effect. Plaintiff shall file a Motion in support of its position by September 14, 2018. Defendant shall respond by October 12, 2018. Plaintiff shall file its Reply by October 26, 2018.

The parties shall keep the Court apprised of any developments in the California Action.

SO ORDERED.

DATED: New York, New York  
August 14, 2018

Deborah A. Batts  
Deborah A. Batts  
United States District Judge